

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRANDON JAMES RUBIO,

Petitioner,

v.

KING COUNTY SUPERIOR COURT,

Respondent.

Case No. C18-0612-JLR

ORDER DISMISSING ACTION

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition for writ of habeas corpus (Dkt. 8) and this action are DISMISSED without prejudice;
- (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED; and

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ORDER DISMISSING ACTION
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1 (4) The Clerk is directed to send copies of this Order to petitioner and to the Honorable
2 Mary Alice Theiler.

3 DATED this 13th day of August, 2018.

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5 JAMES L. ROBART
6 United States District Judge
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